

1 MICHAEL COSENTINO, SBN 83253
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4 Attorney for Plaintiff
5 United States of America

FILED

AUG 6 - 2008

RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA

NO. CV 08 2086

12 Plaintiff,

DECLARATION FOR
JUDGMENT ON DEFAULT

13 v.

14 FRANK EVANS aka WILLIAMS EVANS
15 aka WILLIAM F. EVANS aka BILL F. EVANS,

16 Defendant.
/

17 I, MICHAEL COSENTINO, declare:

18 1. I am the attorney for the plaintiff in the above-entitled action.

19 2. This declaration is made on behalf of plaintiff.

20 3. From the files and records and other information in this case, declarant is
21 informed and believes that the defendant's place of residence is at 601 APTOS CREEK
22 ROAD, APTOS, CA 95003.

23 4. Defendant is not an infant or incompetent person and not in the military service of
24 the United States within the meaning of the Soldiers' and Sailors' Civil Relief Act of 1940,
25 as amended, or otherwise entitled to the benefits of said Act.


26 5. Subsequent to the date of the Certificate of Indebtedness, a copy of which is
27 attached hereto and made a part hereof as Exhibit A, \$0 in payments have been made to
28 the account; there is now due and owing to the plaintiff from the defendant the sum of

1 \$1,870.00 principal, plus \$1,412.89 additional interest, \$87.00 administrative costs, \$63.50
2 court costs, and \$623.27 as attorney fees.

3 WHEREFORE, declarant requests that judgment be entered on behalf of the plaintiff
4 and against the defendant in the sum of \$4,056.66 plus post judgment interest at the legal
5 rate per annum, pursuant to the provisions of 28 USC Sec. 1961(a), which will be
6 compounded annually pursuant to the provisions of 28 USC Sec. 1961(b).

7 I declare under penalty of perjury that the foregoing is true and accurate to the best
8 of my knowledge, information and belief.

9
10 Dated: August 5, 2008



MICHAEL COSENTINO
Attorney for the Plaintiff

**U.S. DEPARTMENT OF EDUCATION
SAN FRANCISCO, CALIFORNIA**

CERTIFICATE OF INDEBTEDNESS

Name: Frank Evans
AKA: Frank William Evans
Address: 705 Seacliff W.
Aptos, CA 95003
SSN: 1901

Total debt due United States as of: 09/16/96 \$2705.08

I certify that U.S. Department of Education records show that the debtor named above is indebted to the United States in the amount stated above, plus additional interest on the principal balance of \$1870.00 from 09/16/96 at the annual rate of 3%. Interest accrues on the principal amount of this debt at the rate of \$0.15 per day.

The claim arose in connection with a Government insured or guaranteed loan made by a private lender and assigned to the United States.

On 09/12/67, 01/30/68, 09/09/69, 12/15/69, 01/26/70, 09/15/70, 02/01/71 & 11/27/72 the debtor executed promissory note(s) to secure loan(s) from University of Idaho - Moscow, ID, under loan guaranty programs authorized under Title IV-E of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087 aa et. seq (34 C.F.R. Part 674). The holder demanded payment according to the terms of the note(s) and on 04/01/72 & 11/01/73 the debtor defaulted on the obligation.

After application of the last voluntary payment of \$100.00 which was received on 10/21/85 the debtor now owes the following:

| | |
|---------------------------------|-----------|
| Principal: | \$1870.00 |
| Interest: | \$748.08 |
| Aministrative/Collection Costs: | \$87.00 |
| Penalties: | \$0.00 |

CERTIFICATION: Pursuant to 28 USC Section 1746, I certify under penalty of perjury that the foregoing is true and correct.

9/26/96
(Date)


Loan Analyst

EXHIBIT A